PART IV

Section 1-B

CENTRAL ACTS AND ORDINANCES

NOTIFICATION.

(LAW DEPARTMENT).

No. LAW 88 LCA 66, Bangalore, dated 4th February 1967.

Ordered that the Land Acquisition (Amendment and Validation) Ordinance, 1967 (1 of 1967), which has been published in the *Gazette of India*, Extraordinary, Part-II, Section 1, dated the 14th January 1967 be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

H. K. ANANTHASUBBA RAO,
Under Secy. to Govt., L. D.

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THE LAND ACQUISITION (AMENDMENT AND VALIDATION) ORDINANCE, 1967.

No. I OF 1967.

[Promulgated by the President in the Seventeenth Year of the Republic of India.]

An Ordinance further to amend the Land Acquisition Act, 1894, and to validate certain acquisitions of land under the said Act.

WHEREAS Parliament is not in session and the President is satisfied that circum-tances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.* —(1) This Ordinance may called the Land Acquisition (Amendment and Validation) Ordinance, 1967.

(2) It shall come into force at once.

2. *Act I of 1894 to be temporarily amended.*—During the period of operation of this Ordinance, the Land Acquisition Act, 1894 (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

3. *Amendment of section 5 A.*—In section 5A of the principal Act, in sub-section (2), for the words "submit the case for the decision of the appropriate Government, together with the record of the proceedings held by him and a report containing his recommendations on the objections.", the words, figures and brackets "either make a report in respect of the land which has been notified under section 4, sub-section (1), or make different reports in respect of different parcels of such land, to the appropriate Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government." shall be substituted.

4. *Amendment of Section* 6.—In section 6 of the principal Act,—

(*a*) in sub-section (1),—

(*i*) after the words "certify its orders", the following shall be inserted, namely:—

"and different declarations may be made from time to time in respect of different parcels of any land covered by the same notification under section 4, sub-section (1), irrespective of whether one report or different reports has or have been made under section 5A, sub-section (2)";

(*ii*) for the words "provided that", the following shall be substituted, namely:—

"Provided that no declaration in respect of any particular land covered by a notification under section 4, sub-section (1), published after the commencement of the

Land Acquisition (Amendment and Validation) Ordinance, 1967, shall be made after the expiry of three years from the date of such publication :

Provided further that";

(*b*) in sub-section (2), for the words "The declaration" the words "Every declaration" shall be substituted.

5. *Validation of certain acquisitions.*—(1)Notwithstanding any judgment, decree or order of any court to the contrary—

(*a*) no acquisition of land made or purporting to have been made under the principal Act before the commencement of this Ordinance, and no action taken or thing done (including any order made, agreement entered into, or notification published) in connection with such acquisition shall be deemed to be invalid or ever to have become invalid merely on the ground—

(*i*) that one or more Collectors have performed the functions of Collector under the principal Act in respect of the land covered by the same notification nnder sub-section (1) of section 4 of the principal Act ; or

(*ii*) that one or more reports have been made under sub-section (2) of section 5A of the principal Act, whether in respect of the entire land, or different parcels thereof, covered by the same notification under sub-section (1) of section 4 of the principal Act ; or

(*iii*) that one or more declarations have been made under section 6 of the principal Act in respect of different parcels of the land covered by the same notification under sub-section (1) of section 4 of the principal Act in pursuance of one or more reports under section 5A thereof ;

(*b*) any acquisition in pursuance of any notification published under sub-section (1) of section 4 of the principal Act before the commencement of this Ordinance may be made after such commencement and no such acquisition and no action taken or thing done (including any order made, agreement entered into, or notification published), whether before or after such commencement, in connection with such acquisition shall be

deemed to be invalid merely on the grounds referred to in clause (*a*) or any of them.

(2) Notwithstanding anything contained in clause (b) of sub-section (1), no declaration under section 6 of the principal Act in respect of any land which has been notified before the commencement of this Ordinance, under sub-section (1) of section 4 of the principal Act, shall be made after the expiry of two years from the commencement of this Ordinance.

S. RADHAKRISHNAN,
President.

S. P. SEN-VARMA,
Secy. to the Govt. of India.

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